

Etienne Pascal Taché--"...for all questions of a general nature would be reserved for the General Government, and those of a local character to the local governments, who would have the power to manage their domestic affairs as they deemed best."³⁷

George Cartier--"Questions of commerce, of international communication, and all matters of general interest, would be discussed and determined in the General Legislature."³⁸

H.L. Langevin--"All local interests will be submitted and left to the decision of the local legislatures."³⁹

Joseph Cauchon--"But if no mention was made of divorce in the Constitution, if it was not assigned to the Federal Parliament, it would of necessity belong to the local parliaments as it belongs to our Legislature now, although there is not one word respecting it in the Union Act."⁴⁰

What these remarks have in common is an exceedingly broad interpretation of provincial power under the Quebec Resolutions and one that finds little support in the text. Their argument seems to rely inordinately upon clause 18 of Resolution 43 which gives the provincial legislatures power to make laws respecting "generally all matters of a private or local nature, not assigned to the General Parliament." This passage is no match for the sweeping power of the General Parliament "to make laws for the peace, welfare, and good government of the Federated Provinces."⁴¹ As noted above, this sweeping power was supplemented with the power to legislate "especially" in a long list of substantive areas which concludes with the power to legislate "generally respecting all matters of a general character, not specially and exclusively reserved for Local Governments and Legislatures." The distinction drawn by the Quebec delegates between general and local matters was too neat and simple. They seemed to assume that the distinction between the two spheres was almost self-evident. Such an assumption is at odds with the language of the Quebec Resolutions. As we saw above, Resolution 45 anticipated that there would be jurisdictional